

**ARIZONA DEPARTMENT OF HEALTH SERVICES  
DIVISION OF LICENSING SERVICES  
Office of Long-Term Care Services**

**150 N. 18th Ave., Ste. 440, Phoenix, AZ 85007 602/364-2690  
400 W. Congress, Tucson, AZ 85700 520/628-6965**

**YOUR RIGHTS AS A NURSING HOME RESIDENT**

*You keep all your fundamental civil or human rights and liberties when you are admitted to a nursing home.*

This document summarizes specific rights you have as a nursing home resident as provided by both federal and Arizona state statutes and rules.

**Pre-Admission Rights** - before you even choose or enter a nursing home, you have rights as a prospective consumer. Please exercise these rights by:

- Visiting the facility
- Contacting the Office of Long-Term Care (602/364-2690 or 520/628-6965), and the State Long-Term Care Ombudsman (602/542-4446), for additional information about the facility.
- Reviewing the facility's admission agreement and receiving a written notice of rates of basic services, optional services, and whether the facility participates in Medicare or Medicaid. Written notice must also be given 60 days in advance of any changes in rates or services.

**Admission Rights**

- The nursing home must inform you of all of your rights, in a language or manner that you understand, through written and oral information available to residents and/or resident representatives.
- The nursing home must inform you of all the facility's rules and regulations, including those regarding transfer and discharge policies.
- You have the right to carefully review and understand all contracts and agreements prior to signing.
- The nursing home cannot require a co-signer for payment, but may require a relative or a legal representative to ensure payment from your income or resources.
- You have the right to apply for Medicare and Medicaid and the right to information and assistance in applying for those programs.

- You cannot be asked to give up or delay your rights to receive Medicare or Medicaid.
- You cannot be asked to give the facility a security deposit if you are a Medicare or Medicaid beneficiary.

### **Basic Rights**

- You have the right to be treated with respect and dignity in recognition of your individuality and preferences.
- You have the right to quality care and treatment that is fair and free from discrimination.
- Relatives or a legal representative may act on your behalf to exercise these rights when you are unable to do so yourself.

### **Visits-Privacy-Confidentiality - You have the right to:**

- Visits with family and friends.
- Contact and meet with certain agency representatives or individuals who provide health, legal, social, or other services.
- Privacy during your visits or meetings, in making telephone calls, and with your mail. Reasonable visiting hours must be provided.
- Privacy in your room and during bathing, medical treatment, and personal care.
- Keep your personal and health records confidential.

### **Quality of Life in the Nursing Home - You have a right to:**

- Choose and participate in activities that you like and which are part of your plan of care.
- Participate in social, religious, and community activities.
- Register and vote in local, state and national elections.
- Voice complaints or grievances without fear of retaliation. The nursing home must give you information about how to file a complaint with the facility, the Ombudsman, and with the AZ Department of Health Services, Office of Long-Term Care Services.
- Organize and participate in resident groups. Your family has the right to organize and participate in family groups in the nursing home.

### **Living Accommodations and Care - You have a right to:**

- Express preferences with respect to your room and roommate and be advised in writing before any changes are made.
- A safe, clean, comfortable, home-like environment.
- Receive care in a manner which promotes and enhances your quality of life. This includes food of the quantity and quality to meet your needs and preferences.

- Services necessary to attain or maintain your highest practicable level of functioning.

### **Protect Your Money and Possessions - You have a right to:**

- Manage your own financial affairs, or you may have the nursing home manage your personal money in accordance with specific requirements which include periodic accounting reports.
- Reasonable security of clothing and personal property. The nursing home must have a program to reduce theft and loss and maintain an inventory of your clothing and other personal property.

### **Medical Care and Treatment - You have a right to:**

- Participate in your plan of care and treatment.
- Choose your personal doctor.
- Refuse any plan of care, treatment, or procedure.
- Make advance directives for treatment such as a durable power of attorney for health care or other instructions about important health care decisions such as unwanted, life-sustaining treatment.
- Participate or refuse to participate in experimental research.

### **Freedom from Restraint and Abuse - You have the right to:**

- Refuse restraints that limit your mobility or drugs that affect your mind, except in emergency situations. Any use of such restraints must be to treat medical symptoms and not for the purpose of discipline or staff convenience.
- Be free from verbal, physical, sexual, and mental abuse; corporal punishment; neglect; and involuntary seclusion.
- Not be required to perform services for the facility unless the work is medically indicated and included in the therapeutic treatment plan.

### **Transfer and Discharge Rights - You have a right to:**

- Be notified in writing before you are to be transferred or discharged from the nursing home.
- Appeal any transfer or discharge decision to the Arizona Department of Health Services, Office of Long-Term Care Services at the address and phone number on the first page of this document. In addition, you may file a grievance with the Arizona Long Term Care Services (ALTCS) contractor indicated in your ALTCS member handbook.
- Return to the nursing home after a short-term transfer to a hospital or after a therapeutic leave from the facility. The nursing home must explain to you their policy about bed holds and your rights to return to the facility.

## **Help In Protecting Your Rights - Long-Term Care Ombudsman**

Arizona has an Ombudsman Program with trained ombudsmen to help with questions or problems about the nursing home and to assist you in exercising your rights. For information about the Ombudsman Program in your area, call or write:

Office of State Long-Term Care Ombudsman  
Aging & Adult Administration  
Arizona Department of Economic Security  
1789 West Jefferson  
Phoenix, AZ 85007  
602/542-4446

## **Licensing and Certification**

The Arizona Department of Health Services, Office of Long-Term Care Services, licenses and

regulates nursing homes on the basis of complaint investigations and annual inspections. Consumers may view inspection and complaint investigation reports at the Arizona Department of Health Services, Office of Long-Term Care Services in its Phoenix or Tucson Offices. The facility must display, in a prominent place, the address and telephone number of:

- Office of Long Term Care Services, Arizona State Department of Health Services
- Local Ombudsman
- Area Agency on Aging
- Persons may contact the Office of Long-Term Care Services of the Arizona Department of Health Services regarding any problems related to the care rendered in Long-Term Care facilities. The Office of Long-Term Care Services investigates issues of concern that can be supported by federal regulations and state rules governing Long-Term Care facilities in the state of Arizona.

## **Filing a Complaint**

You may file a complaint about a violation of federal or state law, rule or regulation with the Office of Long Term Care Services, Arizona Department of Health Services:

Phoenix: 150 N. 18th Ave., Ste.440  
Phoenix, AZ 85007  
602/364-2690  
Tucson: 400 West Congress  
Tucson, AZ 85701  
520/628-6965